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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/837,437	04/18/2001	Michael P. Etgen	RSW9-2001-0006-US1	3954

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EXAMINER

PITARO, RYAN F

ART UNIT PAPER NUMBER

2174

DATE MAILED: 04/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/837,437

Applicant(s)

ETGEN ET AL.

Examiner

Ryan F. Pitaro

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 February 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,3,6,8,9,14,15,17-21,23 and 25-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 11,18-20,25-28 and 31 is/are allowed.
- 6) ☒ Claim(s) 15,17,29 and 30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

**DETAILED ACTION**

1. Claims 1,3,6,8,9,14,15,17-21,23,25-31 have been examined.

***Response to Amendment***

2. This communication is responsive to Amendment F, filed 2/23/2006.
3. Claims 1,3,6,8,9,14,15,17-21,23,25-31 are pending in this application. Claims 1,15,18,21,23 are independent claims. This action is Final.

***Allowable Subject Matter***

Claims 11,18-20,25-28,31 are allowed.

The following is a statement of reasons for the indication of allowable subject matter: The prior art is deficient in teaching an intersection of two slider which defines a portion of an image which is to be resized along with the other limitations of the claims.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Soenksen ("Soenksen", US 6,711,283) in view of Roman et al ("Roman", US 6,803,931) in further view of Gleason et al ("Gleason", US 5,682,488).

As per claim 15, Soenksen teaches a graphical user interface for displaying a user-selected portion of an image, said graphical user interface comprising: an overview display area for displaying an image representing a data file (Figure 5A); a display area for displaying a portion of said image, said display image area being of a certain size (Figure 5A item 124); and a slider superimposed over and translatable over said image (Figure 5A item 106), said slider having a size corresponding to a scope of said image (Column 21 lines 60-64), wherein said slider is variable in size according to user input provided by a click and drag technique (Column 21 lines 60-64) said portion of said image filling. Soenksen fails to distinctly point out resizing the portion to fill the display area. However, Roman teaches a portion of said image being enlarged relative to said image to fill said display area of said certain size (Column 6 lines 22-47). Therefore it would have been obvious to an artisan at the time of the invention to combine the teaching of Roman with the method of Soenksen. Motivation to combine would have been to provide an easy control of display parameters such as zoom and magnification to control the display of an image within an image display window. The modified Soenksen fails to specifically teach a portion inside and a portion outside of the image. However, Gleason teaches a first portion of said slider being superimposed over and translatable over said image and corresponding to the scope of said image, said slider

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further comprising a second portion positioned outside of and adjacent to said image (Figure 2). Therefore it would have been obvious to an artisan at the time of the invention to combine the teaching of Gleason with the interface of the modified Soenksen. Motivation to do so would have been to more easily distinguish the slider from the underlying image.

5. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Soenksen ("Soenksen", US 6,711,283) and Roman et al ("Roman", US 6,803,931) and Gleason et al ("Gleason", US 5,682,488) in further view of Perry ("Perry," US# 5,553,225).

As per claim 17, which is dependent on claim 15, the invention of Soenksen-Roman-Gleason fails to teach a method wherein said slider comprises a scroll box of a scroll bar. However, Perry teaches an input functionality by enabling the user to directly change the slider's length, thereby changing the display scale (Figs. 2 and 4-6; col. 4, lines 30-50). It would have been obvious to one skilled in the art at the time of invention to use the variable size slider bar of Perry in the slider system of the modified Soenksen because it would give the user a more visually familiar system, thereby making the system more user-friendly.

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6. Claims 29-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Soenksen ("Soenksen", US 6,711,283) and Roman et al ("Roman", US 6,803,931) and Gleason et al ("Gleason", US 5,682,488) in further view of Paal ("Paal" US# 5,263,134).

As per claim 29, which is dependent on claim 15, Soenksen-Roman-Gleason fails to distinctly point out sliders relative to axis. However, Paal teaches the graphical user interface of claim 15, wherein said slider is translatable relative to said image along only one axis (Paal, col. 11, lines 52-68 and col. 12, lines 1-3). Therefore it would have been obvious to an artisan at the time of the invention to combine the method of Soenksen-Roman-Gleason with the teaching of Paal. Motivation to do so would have been to provide a controlled way to view the image.

As per claim 30, which is dependent on claim 29, Soenksen-Roman-Gleason-Paal further teaches the graphical user interface of claim 15, wherein said slider is translatable relative to said image along only one axis (Paal, col. 11, lines 52-68 and col. 12, lines 1-3).

### ***Response to Arguments***

Applicant's arguments with respect to claim 1,3,6,8,9,14,15,17-21,23,25-31 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ryan F. Pitaro whose telephone number is 571-272-4071. The examiner can normally be reached on 7:00am - 4:30pm Mondays through Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on 571-272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Art Unit 2174

RFP

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